

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 69967

Deborah Ann Gilson

7841 Wynbrook Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 10, 2009, for a Hearing on a citation for violations of the Baltimore County Code 9BCC) section 13-7-305, 306, 307, failure to maintain structures in a rat-proof condition, failure to maintain premises free from rats and rat harborages on residential property known as 7841 Wynbrook Road, 21224.

On October 21, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Robert Moorefield issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. Photographs in the file show large rat holes along the edge of the shed and next to the sidewalk on Respondent's property. The property owner has not responded to the County's notices and there is no evidence that Respondent has taken appropriate action, as required by County law, to exterminate rats or to close the rat burrows.

B. Respondent must treat the infestation until it is abated. County Code Section 13-7-305. Respondent must remove or abate all rat harborage. County Code Section 13-7-306. Respondent then is required by law to rat-proof or remove the shed. County Code Section 13-7-307. Periodic inspections should continue until the rat infestation is fully abated, holes and burrows are closed, and the shed is removed or rat-proofed.

C. Under County law, Respondent has 5 days to comply with a County notice for rat eradication and has 15 days to comply with a notice for elimination of rat harborage or for rat-proofing. This Citation was issued on October 21, 2009, with no prior Correction Notice. This Citation will therefore not be enforced for these code violations. However, having received written notice from the County, Respondent is now subject to Citation with possible civil penalty if the violations have not been corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that the Citation is DISMISSED.

ORDERED this 23<sup>RD</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer